

Message

From: McGill, Thomas [Mcgill.Thomas@epa.gov]
Sent: 8/1/2020 12:03:43 AM
To: Jenkins, Brandi [Jenkins.Brandi@epa.gov]
Subject: Re: draft press release for EPA-FDEP MOA for assumption

Thank you Brandi. Once it is final would you share that with me please?

Sent from my iPhone

On Jul 31, 2020, at 8:01 PM, Jenkins, Brandi <Jenkins.Brandi@epa.gov> wrote:

Yes there are updates but we are holding until Monday.

Sent from my iPhone

On Jul 31, 2020, at 7:33 PM, McGill, Thomas <Mcgill.Thomas@epa.gov> wrote:

Hi Brandi, Were there any updates to the press release below, or is this the final version?

Sent from my iPhone

On Jul 31, 2020, at 12:30 PM, Jenkins, Brandi <Jenkins.Brandi@epa.gov> wrote:

+ Blake

From: Jenkins, Brandi
Sent: Friday, July 31, 2020 12:30 PM
To: McGill, Thomas <Mcgill.Thomas@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>
Cc: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; Allenbach, Becky <Allenbach.Becky@epa.gov>; Wise, Allison <Wise.Allison@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Subject: RE: draft press release for EPA-FDEP MOA for assumption

Attached and below is the revised release.

**EPA Region 4 Administrator Mary S. Walker
Signs Memorandum of Agreement to Help
Advance Florida's Assumption of Clean Water
Act Program**

Media Contact: Allison Wise, (404) 562-8400
(Main), region4press@epa.gov

TALLAHASSEE, Fla. - (July 31, 2020) – Today, Mary S. Walker, Environmental Protection Agency (EPA) Region 4 Administrator, and Noah Valenstein, Secretary of the Florida Department of Environmental Protection (FDEP), signed a Memorandum of Agreement (MOA) representing the next step, and one of a number of required elements, for Florida to assume responsibility for issuing certain Clean Water Act permits. The state intends to include the MOA in its formal request to EPA for authorization to administer the Clean Water Act Section 404 program.

Today's action follows a complex rulemaking process at the state level, including years of consultation with EPA and constituency groups during the development process. The Clean Water Act provides for an interested state or tribe (with Treatment as a State authority) to administer its own program to regulate the discharge of dredged or fill material to certain waters of the United States in lieu of the U.S. Army Corps of Engineers.

"Florida is most familiar with its state aquatic resources and associated local conditions, issues and needs," **said Mary S. Walker, EPA Region 4 Administrator.** "This MOA represents a significant step forward in Florida's efforts to assume responsibility for issuing permits for the discharge of dredged or fill material to certain waters, and we look forward to working with FDEP as the consultation process continues."

Noah Valenstein quote

The Agreement sets forth the respective responsibilities of Florida and the EPA to administer and enforce the Clean Water Act Section 404 program and is a required component of any formal request to assume the program. The Agreement signed today is one of only three that has ever been executed by the EPA and a state or tribe, and no state or tribe has submitted a request to administer the Clean Water Act 404 program since 1994.

The EPA looks forward to receipt of the formal request from Florida and will work with the applicable government agencies to implement the review and consultation process set forth by the Clean Water Act and its implementing regulations. An assumed program must be consistent with and no less stringent than the requirements of the Clean Water Act and regulations. The EPA Regional Administrator has up to 120 days to review and determine whether the request for authorization meets all federal requirements. During the EPA's review, an opportunity will be provided for public input.

More information: <https://www.epa.gov/cwa404g/basic-information-about-assumption-under-cwa-section-404>

From: McGill, Thomas <McGill.Thomas@epa.gov>

Sent: Friday, July 31, 2020 11:59 AM

To: Hicks, Matt <Hicks.Matthew@epa.gov>; Jenkins, Brandi <Jenkins.Brandi@epa.gov>

Cc: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; Allenbach, Becky <Allenbach.Bekky@epa.gov>; Wise, Allison <Wise.Allison@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Ghosh, Mita

<Ghosh.Mita@epa.gov>

Subject: RE: draft press release for EPA-FDEP MOA for assumption

Brandi – Per our discussion please see additional edits from OWOW (in blue text below). I'm good with the edits, and if you have any questions please let me know. Tom

From: Hicks, Matt <Hicks.Matthew@epa.gov>

Sent: Friday, July 31, 2020 9:58 AM

To: McGill, Thomas <McGill.Thomas@epa.gov>; Jenkins, Brandi <Jenkins.Brandi@epa.gov>

Cc: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; Allenbach, Becky <Allenbach.Becky@epa.gov>; Wise, Allison <Wise.Allison@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>

Subject: RE: draft press release for EPA-FDEP MOA for assumption

Those edits look good to me.

From: McGill, Thomas <McGill.Thomas@epa.gov>

Sent: Friday, July 31, 2020 9:05 AM

To: Hicks, Matt <Hicks.Matthew@epa.gov>; Jenkins, Brandi <Jenkins.Brandi@epa.gov>

Cc: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; Allenbach, Becky <Allenbach.Becky@epa.gov>; Wise, Allison <Wise.Allison@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>

Subject: RE: draft press release for EPA-FDEP MOA for assumption

Thanks Matt.

I shared the draft with OWOW staff and they had a few suggestions that I'm passing along (**see bold language below**).

From: Hicks, Matt <Hicks.Matthew@epa.gov>

Sent: Friday, July 31, 2020 8:04 AM

To: McGill, Thomas <McGill.Thomas@epa.gov>; Jenkins, Brandi <Jenkins.Brandi@epa.gov>

Cc: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; Allenbach, Becky <Allenbach.Becky@epa.gov>; Wise, Allison <Wise.Allison@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>

Subject: RE: draft press release for EPA-FDEP MOA for assumption

This looks really good but I would make it clear

Ex. 5 AC/DP

Ex. 5 AC/DP

Ex. 5 AC/DP

See

edit in red.

Thanks,

Matt

From: McGill, Thomas <McGill.Thomas@epa.gov>
Sent: Friday, July 31, 2020 7:37 AM
To: Jenkins, Brandi <Jenkins.Brandi@epa.gov>
Cc: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; Allenbach, Becky <Allenbach.Becky@epa.gov>; Wise, Allison <Wise.Allison@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Subject: RE: draft press release for EPA-FDEP MOA for assumption

Good morning! I have one correction to the write-up below. Noah Valenstein is the Secretary, not Director, of FDEP.

From: Jenkins, Brandi <Jenkins.Brandi@epa.gov>
Sent: Thursday, July 30, 2020 7:02 PM
To: McGill, Thomas <McGill.Thomas@epa.gov>
Cc: Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; Allenbach, Becky <Allenbach.Becky@epa.gov>; Wise, Allison <Wise.Allison@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Ghosh, Mita <Ghosh.Mita@epa.gov>
Subject: Re: draft press release for EPA-FDEP MOA for assumption

Wow. Thanks Tom; you can write a good press release! We'll work up something for Mary's quote. Still waiting on FDEP to tell me if they're going to send a quote.

I'll send up to HQ once we get the draft close to final.

Brandi

Sent from my iPhone

On Jul 30, 2020, at 6:43 PM, McGill, Thomas <McGill.Thomas@epa.gov> wrote:

Below is draft language for a press release regarding the anticipated signing of the EPA-FDEP MOA for 404 assumption. I anticipate this will benefit from your editing and word-smithing but hopefully it includes the information that's needed. In case you have any questions I will be available early tomorrow (e.g., 7:30-8:30am) but out of pocket for a medical appointment beginning at 8:30 am until around 11:30 or 12. Tom (404-821-9067)

*** draft press release ***

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

<FDEP 404 Assumption MOA press release_bjj.docx>